 Missouri Department of Natural Resources Administrative Policies and Procedures		
Chapter 1 Employee Relations Affirmative Action and Employee Relations Policy		
Discrimination Complaint Procedures	Effective date	Revised
Number: 1.02-03	March 29, 2002	December 6, 2006

Employees of the Department of Natural Resources have a process to address complaints of discrimination based on the federally protected categories of race, ethnicity, sex, age, religion and disability. The Office of Employee Relations is available to assist all employees who feel they have experienced discrimination or actions that affect the terms, conditions and privileges of employment.

REFERENCES

Civil Rights Laws of 1964 & 1991 as amended

Age Discrimination in Employment Act of 1967

Americans with Disabilities Act of 1990

Equal Pay Act of 1963

Missouri Sunshine Law: RSMo. 610.011

Human Rights: RSMo 213

Discrimination: 8 CSR 60-2.025

Related DNR Policy

Employee Relations: 1.02


Discrimination Complaint Form: 1.02-04

GENERAL PROVISIONS

Employees shall cooperate with internal investigations or investigations with the appropriate authority.

Informal complaint procedures

An employee who believes she/he has experienced discrimination based on protected category status may contact the DNR Office of Employee Relations (OER) to discuss her/his complaint informally. Employees are also encouraged to contact their immediate supervisor or other appropriate manager.

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Employees who do not feel they meet the definition of protected category but feel they have experienced discriminatory treatment should contact the OER for advice and options.

The Office of Employee Relations will discuss the complaint with the employee, outlining options, discussing timeframes and confidentiality, and developing a plan for action.

The Office of Employee Relations will work with the employee and manager to address the complaint in an informal manner whenever possible.

Formal complaint procedures

The employee submits a written statement of complaint on the Discrimination Complaint Form to the Office of Employee Relations. The complaint should be submitted within 300 calendar days of the alleged act, unless special circumstances apply. Complaints that occur outside this time frame should be discussed with the OER.

The complaint should include a statement of the specific act of discrimination, the effect on the employee, any and all witnesses to the event, and the requested remedy.

Investigation


A representative from the Office of Employee Relations will meet with the complainant to determine the extent and nature of the complaint. The OER representative may:

- a) request additional written documentation.
- b) tape the conversation for transcription purposes.
- c) determine if the complaint is appropriate under this procedure.

The Employee Relations Officer will notify the individual accused of the discriminatory act as soon as is appropriate to the investigation. If a written complaint is provided, the individual accused may be given a copy of this complaint for their review and written response.

The Employee Relations Officer will interview all appropriate witnesses, review documentation provided by all appropriate parties and may review departmental records.

The Employee Relations Officer will prepare a written investigative report to the department director or designee, and appropriate division director. The report will contain information relative to witness interviews, documentation of the incident,

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conclusions based on the evidence, and a recommended outcome. If necessary and appropriate the investigative findings may be used to determine disciplinary action. This report shall be shared with department legal counsel and the director of the Human Resources Program.

The complainant and accused will be provided written notification by the OER that the investigation is complete and the findings of the investigation.

Copies of the investigation or any other documentation gathered during the investigation will not be provided for the complainant, accused or any witness. This information is available to the department director, the deputy department director, legal counsel, the director of the Human Resources Program, division directors and deputy division directors. This information will not be provided to any party not listed without benefit of subpoena.

Conflict resolution services will be made available to the complainant, accused, and work group that have been affected by the complaint.

Investigative files will be maintained in the Office of Employee Relations.

Coordination with the Equal Employment Opportunity Commission or the Human Rights Commission

The Office of Employee Relations will serve as the department's representative in cases filed with the Equal Employment Opportunity Commission or the Human Rights Commission.


Retaliation and false accusations

Retaliation for participating in or filing a claim in good faith of discrimination is forbidden. Managers, supervisors or employees who retaliate or attempt to retaliate will be subject to discipline. Managers and supervisors are responsible for insuring the retaliation does not take place.

Employees who purposely file false claims with specific intent to harm will be subject to discipline, up to and including termination.

Confidentiality

Complaints of discrimination, investigative reports, recommendations and all investigative materials are considered closed confidential records under Missouri's

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Sunshine Law. They will not be released to any party not involved in the administration of the complaint or outcome of the investigation.